

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

SB 2686 - HB 3051

March 13, 2012

SUMMARY OF BILL: Authorizes specified Court Clerks to charge a one-time \$120 electronic filing system subscription fee for each registered user. Authorizes the Clerk to charge an electronic copy transaction fee not to exceed \$.08 per page. Prohibits the transaction fee from applying to the first electronic copy of any document requested by a litigant or a litigant's attorney, and requires a total charge not exceeding \$2.10 for any single document. Authorizes fees to be set by local court rule to defray expenses associated with the implementation and maintenance of an electronic filing system.

ESTIMATED FISCAL IMPACT:

On March 4, 2012, a fiscal note was issued estimating a fiscal impact as follows:

*Increase State Expenditures - \$204,100/One-Time
\$74,700/Recurring*

*Increase Local Revenue – Exceeds \$84,100/One-Time/Permissive
Exceeds \$74,700/Recurring/Permissive*

This impact was in error. Based on additional review, the estimated impact is:

(CORRECTED)

Increase State Expenditures - \$120,000/One-Time

Increase Local Revenue – Exceeds \$72,000/One-Time/Permissive

Assumptions:

- Pursuant to Tenn. Code Ann. § 8-21-401, the subscription fees will not apply to the Department of Human Services' (DHS) child support actions.
- According to DHS, the Department will make system modifications to the Child Support Enforcement System (TCSES) to utilize the electronic system. The modifications will be made by OIR IT-Pro pursuant to a state contract.
- The current OIR IT-Pro contract rate is \$80 per hour. DHS estimates 1,500 hours will be needed to analyze, design, code, and test the modifications. The one-time increase in state expenditures is \$120,000 (1,500 hours x \$80 per hour).

SB 2686 - HB 3051 (CORRECTED)

- According to the Comptroller of the Treasury, the Shelby County Circuit Court Clerk's Office will implement an electronic filing system within the next six to eight months. There are 1,200 attorneys who file civil cases in Shelby County.
- Assuming 50 percent of the Shelby County attorneys subscribe to the system, and the county charges the full \$120, the one-time increase in local revenue is \$72,000 [(\$120 x 1,200 attorneys) x 50%].
- It is assumed that most attorneys will only need one electronic copy of any document; therefore, any revenue derived from copy transaction fees will be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/sbh